

Docket No. 1399.1001

**RESPONSE AND REQUEST FOR RECONSIDERATION
UNDER 37 C.F.R. §1.116
** EXPEDITED PROCEDURE ****

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Gyu-Yeong SON et al.

Serial No.: 09/210,472

Confirmation No. 5435

Filed: December 14, 1998

For: RESERVED PROGRAM RECORD SETTING METHOD AND APPARATUS FOR A
PROGRAM PREVIEW

MAIL STOP AF
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Group Art Unit: 2615

Examiner: THAI Q. TRAN

Sir:

This is responsive to the Final Office Action mailed December 17, 2003, having a shortened period for response set to expire on March 17, 2004.

The following remarks are respectfully submitted.

REMARKS

INTRODUCTION:

Claims 16-85 are pending and under consideration. Reconsideration is requested.

REVISED SUBMISSION UNDER RULE 131

On pages 2-3 of the Office Action, the Examiner asserts that the Declaration under Rule 131 filed September 30, 2003 does not show a constructive reduction to practice on December 13, 1997 since constructive reductions to practice are limited to the filing of U.S. patent applications. As such, the Examiner appears to be asserting that the foreign filing of an application on which priority has been claimed under 35 U.S.C. §119 does not work as a constructive reduction to practice for the purposes of a Rule 131 Declaration.

#21 N.E
3-16-04
JK

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DATE: March 15, 2004

TO (FIRM): U.S. Patent and Trademark Office, Group Art Unit: 2615

ATTN: Examiner: Thai Q. Tran

FAX NO.: 703-872-9306

TELEPHONE: 703-305-7425

FROM: James G. McEwen

Re: U.S. Patent Application
Serial No. 09/210,472
For: RESERVED PROGRAM RECORD SETTING METHOD AND
APPARATUS FOR A PROGRAM PREVIEW
Inventors: Gyu-Yeong SON, et al.
Our Docket: 1399.1001

NO. OF PAGES (Including this Cover Sheet) 5

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COMMENTS:

RESPONSE AND REQUEST FOR RECONSIDERATION
UNDER 37 C.F.R. §1.116

** EXPEDITED PROCEDURE **

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to: Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450
on March 15, 2004
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Date: March 15, 2004